

DEPARTMENT OF WORKFORCE DEVELOPMENT
DIVISION OF WORKFORCE SOLUTIONS
ADMINISTRATOR'S MEMO SERIES

ACTION 03-18

ISSUE DATE: 09/16/2003
DISPOSAL DATE: Ongoing

RE: W-2 PURCHASE OF
SERVICE/SUBCONTRACTING
WITH JOB SERVICE

To: W-2 Agency Directors

From: Bettie A Rodgers /s/
Division Administrator

Wisconsin Works (W-2) agencies have subcontracted with Job Service along with many other agencies to provide W-2 and other employment program related services. Job Service, however, is a state governmental agency bound by statutes and administrative rules that address many of the same issues as various provisions contained in the Model W-2 Subcontract (Administrators Memo 03-04 'W-2 Purchase of Service/Subcontracting', dated February 10, 2003). Given that, certain provisions of the Model W-2 Subcontract that are necessary to ensure that non-state agency providers carry out their obligations in a manner sanctioned by the state are not necessary regarding Job Service.

In order to avoid confusion caused by using the Model W-2 Purchase of Service Subcontract, the Model W-2 Subcontract was modified for those occasions when Job Service is contracted with for employment and training services. The sections of the Model Subcontract that were not relevant or appropriate were revised or deleted. These sections are:

- Faith-Based Agency - This section would apply if Job Service subcontracts a related service, e.g. child care, transportation, etc. with another agency. This is found in Section VI.A.
- Affirmative Action/Civil Rights Compliance – This section was deleted and the revisions may be found in Section XI. A.
- Indemnity and Insurance – This section was deleted and the revisions may be found in Section XI. C.
- Adhere to the following audit requirements – The section was deleted

- Bonuses to Employees – This section was deleted
- Certification of Debarment and Suspension and Certification Regarding Lobbying and Disclosure of Lobbying Activities forms – This section was deleted
- Conditions of the Parties Obligations – Disclosure of Independence and Relationship – This section was deleted
- Conditions of the Parties Obligations – Independent Capacity – This section was deleted
- Maintain a uniform double entry accounting system – This section was deleted

Although the Reporting and Records Sections were moved forward in this Model Contract, the content for these Sections remains unchanged. Further, the content contained in the remaining sections is essentially as in the original Model W-2 Subcontract. A new Section XI. 'Assurances and Limitations' is added and contains the Affirmative Action and Indemnity provisions and a payment for losses provision that was contained in the former Job Service contract.

As with the original Model W-2 Subcontract, all of the remaining sections should be included when contracting with the Job Service. Content may vary due to local differences. Any services or responsibilities that are not specified in the Contract, remain the responsibility of the W-2 agency.

This new Model W-2 Subcontract for Employment and Training and Related Services should be used with Job Service contracts that begin January 1, 2004. Any questions regarding this policy revision should be directed to the Department's Contract Manager.

REGIONAL OFFICE CONTACT: Area Administrator (Department's Contract Manager)

Attachment